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## PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number (Optional)

YORG-2001-0287 (8728-514)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.6(a)]

on August 3, 2006

Signature Patricia A. Gonta

Typed or printed name Patricia A. Gonta

Application Number

09/926,397

Filed

August 9, 2001

First Named Inventor

Yuan-Chi Chang

Art Unit

2162

Examiner

Enishioya, Fred I.

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).

Note: No more than five (5) pages may be provided.

I am the

applicant/inventor.

E. Parham  
Signature

assignee of record of the entire interest.

See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.  
(Form PTO/SB/96)

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Registration number if acting under 37 CFR 1.34       

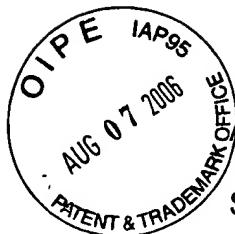
June 27, 2006 Aug. 3, 2006  
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.  
Submit multiple forms if more than one signature is required, see below.

\*Total of        forms are submitted.

This collection of information is required by 35 U.S.C. 152. The information is required to obtain or retain a benefit by the public which is to be had by the USPTO to process an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 1.16. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: CHANG et al. EXAMINER: EHICHOYA, Fred I.  
SERIAL NO: 09/925,397 ART UNIT: 2172  
FILED: Aug. 9, 2001 DKT: YOR9-2001-0287 (8728-514)  
ON: CONCEPT-BASED SYSTEM FOR REPRESENTING AND  
PROCESSING MULTIMEDIA OBJECTS WITH ARBITRARY  
CONSTRAINTS

REASONS FOR PRE-APPEAL BRIEF REQUEST FOR REVIEW

A Notice of Appeal is being filed following the Final Office Action mailed on March 3, 2006 and the Advisory Action mailed on June 1, 2006. A telephonic interview was conducted with the Examiner on July 3, 2006, to discuss whether the MediaNet reference constitutes Applicants' own work. The undersigned thanks the Examiner for courteously conducting said interview. No agreement has yet been reached on that issue, although Applicants reserve the right to submit further evidence if and when it becomes available.

This paper is being filed in conjunction with a Pre-Appeal Brief Request for Review to alert the Examiner to other issues that may be resolvable by review. The Examiner has rejected all claims of the above-referenced application in a Final Office Action dated March 3, 2006, and maintained said rejections in an Advisory Action dated June 1, 2006.

Claims 20-39 are currently pending in this application. The Examiner's reconsideration of the rejections is respectfully requested, particularly in view of the following remarks.

In accordance with the Office Action, Claims 20, 27 and 34 stand rejected under 35 USC § 103(a) as being unpatentable over Non-Patent Document:

“Supporting Ranked Boolean Similarity Queries in MARS”, IEEE Trans. on Knowledge and Data Engineering, 10, Nov-Dec. 1998, Authors: Ortega et al.; in view of Non-Patent Document: “MediaNet: A Multimedia Information Network for Knowledge Representation”, In Conference on Internet Multimedia Management Systems, Vol. 4210, pages 1-12, Boston, MA, Nov. 2000, 1 ST/SPIE.00, Authors: Ana B. Benitez-Jimenez, Chung-Sheng Li, and John R. Smith. Applicants respectfully traverse.

Claim 20 recites, *inter alia*, a “method for processing multimedia data ... comprising: receiving as input a high-level concept describing data to be accessed; translating the high-level concept into a low-level query by using stored concept constructs which are defined using features derived from a plurality of application domains; and transferring the low-level query to one or more search engines to access information using the low-level query”.

The Ortega et al. reference is generally directed towards processing ranked Boolean similarity queries in a multimedia access and retrieval system. As correctly indicated by the Examiner, the primary reference by Ortega et al. fails to teach or suggest “transferring the low-level query to one or more search engines” as recited in pending Claims 20 and 27, and similarly in pending Claim 34. The Examiner relies on the MediaNet publication to cure the deficiencies of Ortega et al. Such reliance is misplaced.

The MediaNet reference is generally directed towards querying stored multimedia data. MediaNet may show transferring low-level data to one or more search engines.

Unfortunately, neither Ortega nor MediaNet show a workable way to translate high-level concepts having the features of Ortega into low-level queries having the features of MediaNet. Thus, the Examiner’s proposed combination of Ortega with MediaNet fails to teach or suggest “translating the high-level concept into a low-level query by using stored concept constructs which are defined using

features derived from a plurality of application domains", particularly with respect to the high-level concepts of Ortega and the low-level queries of MediaNet.

Respectfully submitted,

By: E. Parham 8/3/06  
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